

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:  THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,  as representative of  THE COMMONWEALTH OF PUERTO RICO, <i>et al.</i>  Debtors. <sup>1</sup>	PROMESA Title III  No. 17 BK 3283-LTS  (Jointly Administered)
In re:  THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,  as representative of  THE COMMONWEALTH OF PUERTO RICO  -and-  PUERTO RICO HIGHWAYS AND TRANSPORTATION AUTHORITY,  Debtors.	PROMESA Title III  No. 17 BK 3283-LTS  No. 17 BK 3567-LTS  THIS PLEADING RELATES ONLY TO THESE TITLE III CASES <sup>2</sup>

**THE DRA PARTIES' MOTION FOR LEAVE TO REQUEST ADDITIONAL RELIEF  
PURSUANT TO LOCAL BANKRUPTCY RULE 4001-1(a)**

<sup>1</sup> The Debtors in these title III cases, along with each Debtor's respective title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3566(LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 8474); and (v) Puerto Rico Electric Power Authority (Bankruptcy Case No. 17-BK-4780) (Last Four Digits of Federal Tax ID: 3747).

<sup>2</sup> The Movants make this clarification in accordance to the Court's *Order (A) Pursuant to PROMESA Section 304(G), Directing Joint Administration of Initial Title III Cases and Additional Title III Cases, and (B) Pursuant to Section 105(A) of The Bankruptcy Code, Making Certain Orders Entered on First Day Pleadings Applicable to the Additional Title III Cases*. See Dkt. No. 167 at ¶ 5 (June 29, 2017).

**COMES NOW** AmeriNational Community Services, LLC (the “Servicer”), as servicer for the GDB Debt Recovery Authority (the “DRA”), and Cantor-Katz Collateral Monitor LLC, a Delaware limited liability company (the “Collateral Monitor”, and together with the Servicer, collectively, the “DRA Parties”) which serves as the collateral monitor for Wilmington Trust, N.A. in connection with the new bonds that the DRA issued pursuant to the *Government Development Bank for Puerto Rico Debt Restructuring Act*, Act No. 109-2017, as amended by Act No. 147-2018, and the approved Qualifying Modification for the Government Development Bank for Puerto Rico (the “GDB”)<sup>3</sup> under Title VI of the *Puerto Rico Oversight, Management and Economic Stability Act*, by and through the undersigned legal counsel, and respectfully requests as follows:

1. On today’s date, the DRA Parties filed *The DRA Parties’ Motion and Memorandum of Law in Support of their Motion for Relief from the Automatic Stay, or in the Alternative, Ordering Payment of Adequate Protection* (the “Motion”)<sup>4</sup> seeking relief from the automatic stay under 11 U.S.C. § 362(d)(1) and/or (d)(2) to initiate, continue and/or conclude any and all foreclosure proceedings over their collateral and/or the exercise of any applicable contractual and legal remedies under the applicable debt documents; or, in the alternative, for the entry of an order requiring the Debtors to provide adequate protection to the DRA Parties on account of the diminution in value of their collateral; or, to the extent the Court does not grant the DRA Parties’ request for adequate protection, that the Court provide the DRA Parties with an allowed

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<sup>3</sup> See Dkt. No. 270 of Civil Case No. 18- 01561 (LTS) (Nov. 7, 2018).

<sup>4</sup> Capitalized terms not defined in this Order shall have meaning ascribed to them in the Motion.

administrative expense claim under 11 U.S.C. § 503(b). *See* Dkt. No. 7643 of Case No. 17-03283 (LTS) and Dkt. No. 591 of Case No. 17-03567 (LTS).

2. Puerto Rico Local Bankruptcy Rule 4001-1(a), as adopted and incorporated into these proceedings by virtue of the *Ninth Amended Notice, Case Management, and Administrative Procedures* (Dkt. No. 7115 of Case No. 17-03283 (LTS) (May 28, 2019)) (the “CMP Order”), provides that “[a] motion for relief from stay shall not be combined with a request for any other type of relief *unless so authorized by the court*, except that the movant may request adequate protection as alternative relief.” (emphasis added).

3. The DRA Parties’ respectfully seek authorization and leave from this Court to pursue their alternative request for administrative expense priority in their Motion in compliance with Local Bankr. R. 4001-1(a).

**WHEREFORE**, the DRA Parties respectfully request this Court for authorization and leave under Local Bankr. R. 4001-1(a) to pursue their alternative request for administrative expense priority in *The DRA Parties’ Motion and Memorandum of Law in Support of their Motion for Relief from the Automatic Stay, or in the Alternative, Ordering Payment of Adequate Protection* (Dkt. No. 7643 of Case No. 17-03283 (LTS) and Dkt. No. 591 of Case No. 17-03567 (LTS)).

**WE HEREBY CERTIFY** that on this same date, we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all CM/ECF participants in this case. We further certify that, on this same date, we served the foregoing upon all the Standard Parties as identified and defined the Court’s CMP Order, as well as upon all of the parties identified in the Master Service List maintained at <https://cases.primeclerk.com/puertorico/>.

**RESPECTFULLY SUBMITTED.**

In San Juan, Puerto Rico, this 25<sup>th</sup> day of June, 2019.

**C. CONDE & ASSOC. LAW OFFICES**

*-and-*

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